

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

FIVE STAR BANK,

Plaintiff,

CASE NO. 6:24-cv-06153

v.

CIVIL ACTION

KATHERINE MOTT, ROBERT HARRIS;
KRM EVENTS, LLC; KATHERINE'S ON
MONROE, LLC; THE DIVINITY ESTATE
AND CHAPEL, LLC; KNC ELEGANCE,
LLC d/b/a THE WINTERGARDEN BY
MONROES; 11 WEXFORD GLEN, LLC;
RCC MONROES LLC; NAF REMODELING
LLC; MONROES AT RIDGEMONT LLC;
CRESCENT BEACH AT THE LAKE LLC;
MOTT MANAGEMENT LLC; KRISTINA
BOURNE; TAYLOR PAGANO; TIMOTHY
LAROCCA,

Defendants.

**AFFIDAVIT OF LOIS ELLIS SUPPORT OF PLAINTIFF'S MOTION FOR
AN ORDER OF ATTACHMENT AS TO EACH DEFENDANT**

LOIS ELLIS, declares the following under penalty of perjury:

1. I am employed by Plaintiff Five Star Bank ("Five Star") as Director of Operations.

In this capacity, I am responsible for overseeing the daily operational functions of the bank and ensuring that processes and procedures are executed efficiently and effectively.

2. I make this Affidavit based upon my personal knowledge.

3. As part of the investigation into this elaborate check-kiting scheme, I have conducted a detailed review of Defendant Katherine Mott's ("Defendant Mott") accounts and transaction history at Five Star, which include accounts held in the names of each of the business entities that are defendants in this case ("Defendant Entities").

4. On November 29, 2022, Defendant Mott opened seven checking accounts, all "business" accounts on behalf of 11 Wexford Glen LLC, Katherine's on Monroe LLC, NAF

Remodeling LLC, The Divinity Estate and Chapel LLC, KRM Events LLC, and KNC Elegance LLC DBA The Wintergarden By Monroe's.

5. Attached hereto as Exhibits A through F are copies of selected account statements for several of the accounts held in the name of the Defendant Entities. These account statements are for illustrative example only, as a full forensic review and accounting of the Defendant Entities' account activity is ongoing.

6. Attached hereto as **Exhibit A** is a true and correct copy of the account statement for the month of March 2023 for one of the accounts Mott opened in the name of 11 Wexford Glen, LLC at Five Star Bank, account number ending -0642, redacted in compliance with Fed. R. Civ. P. 5.2. Ex

7. Attached hereto as **Exhibit B** is a true and correct copy of the account statement for the month of April 2023 for one of the accounts Mott opened in the name of Katherine's on Monroe, LLC at Five Star Bank, account number ending -0596, redacted in compliance with Fed. R. Civ. P. 5.2.

8. Attached hereto as **Exhibit C** is a true and correct copy of the account statement for the month of May 2023 for one of the accounts Mott opened in the name of NAF Remodeling LLC at Five Star Bank, account number ending -0634, redacted in compliance with Fed. R. Civ. P. 5.2.

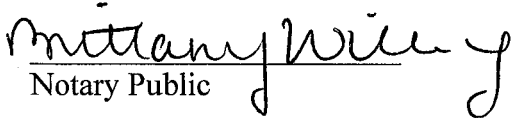
9. Attached hereto as **Exhibit D** is a true and correct copy of the account statement for the month of July 2023 for one of the accounts Mott opened in the name of The Divinity Estate and Chapel LLC at Five Star Bank, account number ending -0618, redacted in compliance with Fed. R. Civ. P. 5.2.

10. Attached hereto as **Exhibit E** is a true and correct copy of a combined account statement for the month of August 2023 for two accounts Mott opened in the name of KRM Events LLC at Five Star Bank, account numbers ending -0529 and -0545, redacted in compliance with Fed. R. Civ. P. 5.2.

11. Attached hereto as **Exhibit F** is a true and correct copy of the account statement for the month of September 2023 for one of the accounts Mott opened in the name of KNC Elegance, LLC at Five Star Bank, account number ending -0588, redacted in compliance with Fed. R. Civ. P. 5.2.

12. I declare under the penalty of perjury that the foregoing is true and correct.

Sworn before me this 2
day of August 2024


Notary Public

BRITTANY N. WILLEY
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01WI6445313
Qualified in Livingston County
Commission Expires December 19, 2026


Lois E. Ellis